



Table 44-404-1. Dimensional standards.

	Density (maximum dwelling units per	Floor Area Ratio (maximum)	Lot Size (minimum, square feet)	Lot Width (minimum, feet)	Front Setback (minimum, feet)	Side Setback (minimum, feet)	Rear Setback (minimum, feet)	Height (maximum, feet) ⁽³⁾	Gross leasable area (GLA) max. per development, square, feet
Rural Conservation (RCon)	0.2	-	217,800 (5acres)	250	100	30	50	45	-
Residential (R-80)	0.5	-	Single family-80,000	150 ⁽²⁾	30	15	30	45	-
Residential (R-40)	1.0	-	Duplex – 120,000						
Residential (R-40)	1.0	-	Single family– 40,000	100 ⁽²⁾	30	15	30	45	-
Residential (R-30)	1.5	-	Duplex– 60,000		20 ⁽³⁾				
Residential (R-30)	1.5	-	Single family – 30,000	75	30	15	30	45	-
Residential (R-30)	1.5	-	Duplex –45,000		20 ⁽³⁾				
Residential (R-20)	2.0	-	Single family – 20,000 or 15,000 with public water and/or sewer		30				
Residential (R-20)	2.0	-	Duplex –30,000 or 22,500 w/ public water and/or sewer	75	20 ⁽³⁾	15	30	45	-
Residential (R-15)	3.0	-	Single family - 15,000	75	30	15	30	45	-
Residential (R-15)	3.0	-	Duplex – 22,500		20 ⁽³⁾				
Residential (R-12)	3.6	-	Single family – 12,000	75	20	10	20	45	-
Residential (R-12)	3.6	-	Duplex –18,000						
Residential (R-10)	4.4		Single family – 10,000	60	20	10	20	45	
Residential (R-10)	4.4		Duplex –15,000						
Residential (R-7)	6.2		Single family - 7,000	60	20	10	20	45	
Residential (R-7)	6.2		Duplex –10,500						
Office-Institutional (O-I)		1:5	20,000	100	30	20	30	45	-
Rural Commercial (RC)		1:5	20,000	100	30	20	30	45	15,000
Highway Commercial (HC)		1:3	40,000	150	35	20	35	70	50,000
Light Industrial (LI)		1:3	40,000	100	30	25	35	70	-
General Industrial (GI)		1:2.5	60,000	150	40	25	35	70	-



Notes:

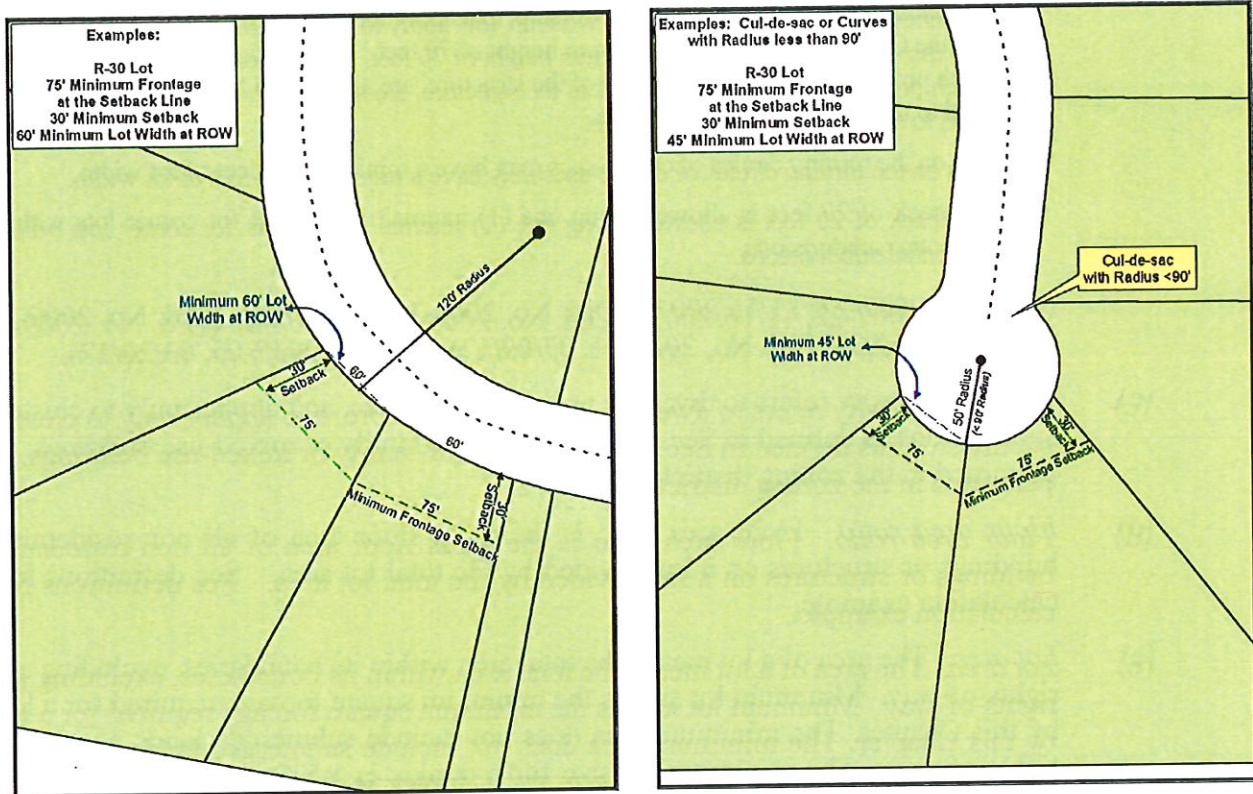
- (1) Churches/synagogues and places of worship, that apply for and qualify for tax exempt status with the County, may have a maximum height of 70 feet. In addition, steeples and belfries, which project above the total height of the structure, are allowed to have additional height, equal to that of the worship structure.
- (2) Lots on the turning circles of cul-de-sacs may have a minimum 75 feet of lot width.
- (3) A setback of 20 feet is allowed along one (1) internal street front for corner lots within residential subdivisions.

(Ord. No. 2007-22, 11/16/2007) (Ord. No. 2008-17, 10/20/08) (Ord. No. 2009-12, 11/16/09)(Ord. No. 2012-11, 07/09/12) (Ord No. 2017-05, 03/20/17)

- (c) *Density.* Density refers to dwelling units per gross acre, and applies only to cluster subdivisions as defined in Sec. 44-544 and multi-family or mixed-use buildings, if permitted in the zoning district.
- (d) *Floor area ratio.* Floor area ratio is the gross floor area of all non-residential buildings or structures on a lot, divided by the total lot area. See definitions for calculation example.
- (e) *Lot area.* The area of a lot means the total area within its boundaries, excluding all rights-of-way. Minimum lot area is the minimum square footage required for a lot by this Chapter. The minimum area does not include submerged lands nor street rights-of-way. The minimum lot size for a duplex is 1.5 times the lot size of a single-family dwelling, as indicated in Table 44-404-1.
- (f) Frontage and lot width.
 - (1) *Generally.* Lot width shall be measured across the required front setback line, except as provided in Subsection (2) below. The front setback line is construed to be parallel to the front lot line. In determining the front lot line for different lot types, as defined in Subsection (i) below and depicted in Figure 44-404-1 - Lot Types, the following rules shall be used:
 - a. On interior lots, the front lot line is the lot line that abuts a street.
 - b. On corner lots, the lot lines parallel to each of the streets are both considered to be front lot lines for regulatory purposes.
 - c. On multiple frontage lots, all portions adjacent to streets are considered to be front lot lines for regulatory purposes.
 - (2) *Lot frontage.* Lot frontage shall not be less than 80% of the required minimum lot width except for lots on the turning circles of cul-de-sacs or at similar points of street curvature where the radius of the right-of-way line is less than 90 feet. In the case of a cul-de-sac or where a right-of-way radius is less than 90 feet, the minimum frontage shall be 45 feet. Figure 44-404-1 indicates the relationships involved.



Figure 44-404-1. Lot frontage requirement.



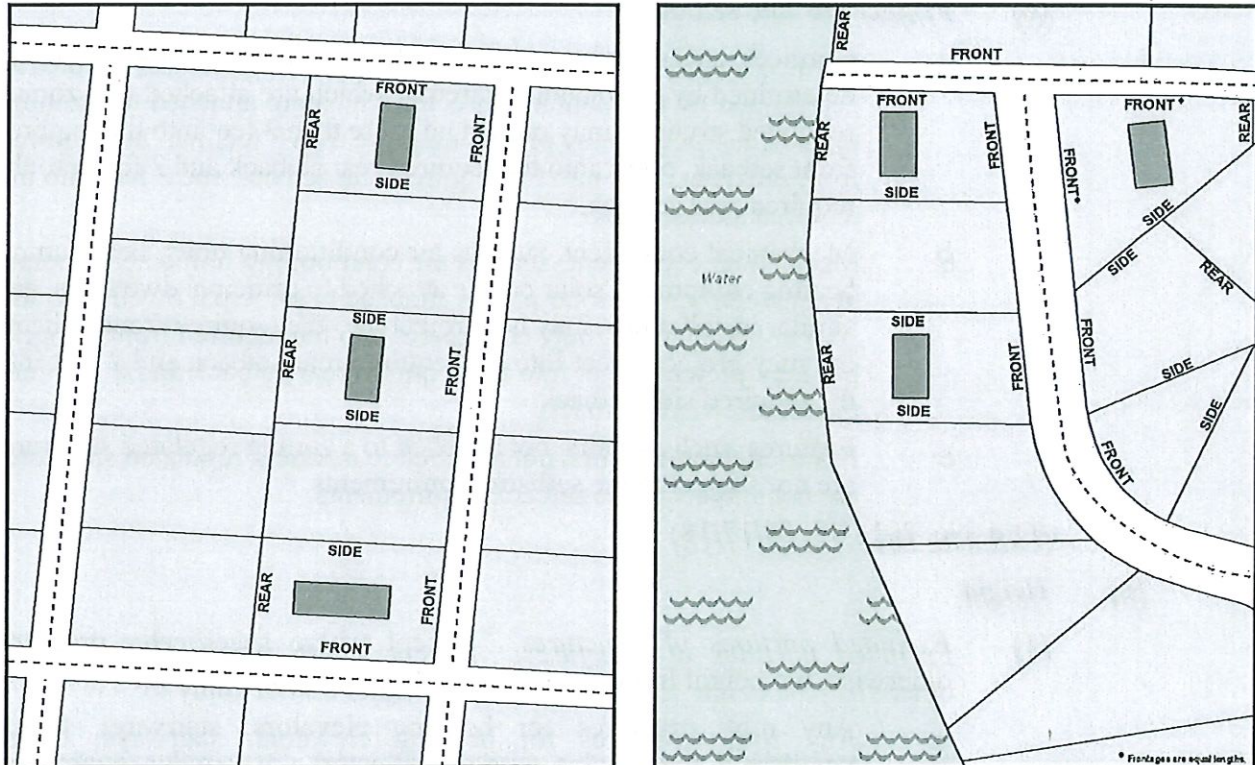
- (3) *Diminishing lot width.* Lot width shall not be less than 45 feet for any part of its width. The planning director may waive this requirement based on topography, original lot configuration, utility easements or rights-of-way and other natural features.
- (4) *Lot width to depth ratio.*
 - a. Depth of residential major and minor development lots cannot exceed 5 times the width, except for lots with attached dwellings or when portions in excess of that depth are for the purpose of providing separation from major streets or railroads, rights-of-ways, easements, wetlands, water areas, protective strips, original lot configuration or severe topography.
 - b. The width-depth ratio does not apply when:
 1. The width of a lot exceeds 300 feet;
 2. The lot is for nonresidential purposes;
 3. Creating a family subdivision.



(g) *Setbacks.*

- (1) *Generally.* A setback is an imaginary line that governs the siting of buildings and structures on a lot. Figure 44-404-2 indicates the nomenclature and location of setbacks. Setbacks are measured from the property lot lines, not considering private easement boundaries.

Figure 44-404-2. Setback types.



- (2) *Front setbacks.* The front setback is an imaginary line extending the entire width of the lot and parallel to the front lot line. The setback requirement in Table 44-404-1 is measured perpendicular to the front lot line at the closest point to the front lot line.
- (3) *Side setbacks.* The side setback is an imaginary line extending the entire length of the lot and parallel to the side lot line. The setback requirement in Table 44-404-1 is measured perpendicular to the side lot line at the closest point to the side lot line.
- (4) *Rear setbacks.* The rear setback is an imaginary line extending the entire width of the lot and parallel to the rear lot line. The setback requirement in Table 44-404-1 is measured perpendicular to the rear lot line at the closest point to the rear lot line.



- (5) *Corner and multiple frontage lot setbacks.* A corner or multiple frontage lot must observe the front yard setbacks for all frontages facing the streets. The rear lot line is the lot line that is opposite to the front with the shortest boundary. If the lot has equal frontage on 2 streets, frontage will be determined in accordance with the prevailing area lot patterns. See Table 44-401-1 and note ⁽⁵⁾ as well as Figure 44-404-2 above.

(Ord. No. 2012-11, 07/09/12)

- (6) *Projections into setbacks.*
- a. Cornices, eaves, stoops, gutters, and similar architectural features as determined by the planning director which are attached to a zoning regulated structure may project no more than 3 feet into the required front setback, 5 feet into the required rear setback and 2 feet into the required side setback.
 - b. Mechanical equipment, such as air conditioning units, heat pumps, heating equipment, solar panels attached to principal dwellings, and similar installations, may not project into the required front setback, but may project 5 feet into the required rear setback and 2 feet into the required side setback.
 - c. Features, such as stairs, not attached to a zoning regulated structure, are not subject to the setback requirements.

(Ord. No. 2018-13, 09/17/18)

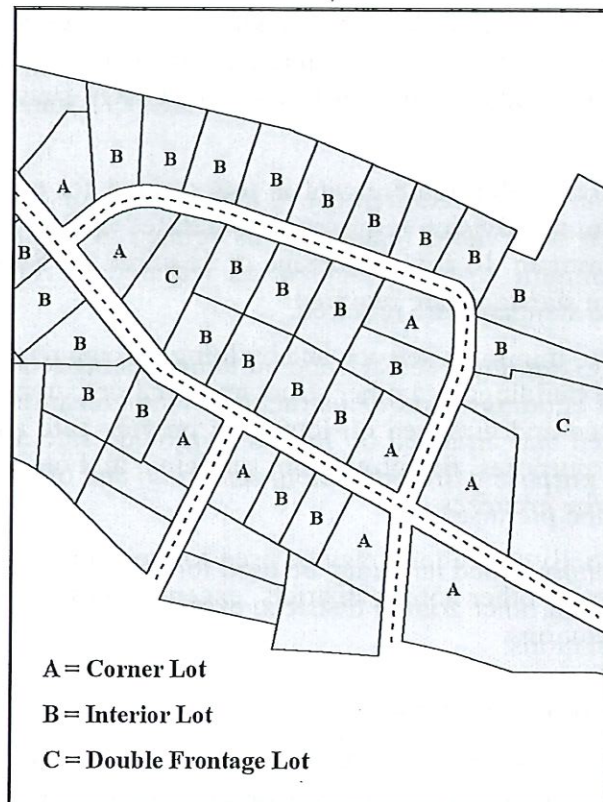
(h) *Height.*

- (1) *Excluded portions of structures.* Except where specifically provided otherwise, the height limitations of this Chapter do not apply to:
- a. Any roof structures for housing elevators, stairways, tanks, ventilating fans, solar energy collectors, or similar equipment required to operate and maintain a building, provided that such structures shall not cover more than 20% of the roof area or extend over 10 feet in height;
 - b. Spires, cupolas, domes, monuments, water towers, skylights, flagpoles, vents, construction or mining cranes or draglines, or similar structures, which may be erected above the height limit;
 - c. Firewalls or parapet walls provided that such walls shall not extend more than 5 feet above the roof.
- (2) *Aviation hazard.* It is the responsibility of the property owner locating a structure within 5,280 feet of a documented public/private airstrip to obtain a certification from FAA and/or NCDOT verifying that the height of the proposed structure will not be an aviation hazard.
- (i) *Lot types.* Figure 44-404-3 illustrates the terminology used with reference to corner, interior and double frontage lots.



- (1) In Figure 44-404-3, lot "A" is a corner lot, defined as a lot located at the intersection of two or more streets. A lot abutting a curved street is considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot (projected if rounded) meet at an interior angle of less than 135 degrees.
- (2) In Figure 44-404-3, lot "B" is an interior lot. An interior lot is a lot other than corner lot and abutting one street. Alleys are not considered streets for purposes of this definition.
- (3) In Figure 44-404-3, lot "C" is a double frontage lot. A double frontage lot is a lot other than a corner lot, and has frontage on more than one street. Alleys are not considered streets for purposes of this definition.

Figure 44-404-3. Lot types.



(Ord. No. 2007-23, 11/16/2007) (Ord. No. 2008-17, 10/20/08)

Sec. 44-405. Placement of dwelling units on a lot.

- (a) Only one residential dwelling or duplex, and its customary accessory structures, is allowed per zoning lot as a matter of right.



- (b) Dwelling units shall be sited with the front of the structure running parallel to a street in order to achieve consistency and harmony with surrounding structures. The planning director shall have the authority to grant a waiver in the site placement of homes on a case by case basis. This waiver will be based in the topography of the site and any other specific conditions of the site.
- (c) On corner lots the property owner may chose which frontage to face the home.

Sec. 44-406. Access.

- (a) A legal lot created and recorded on or before March 18, 1996 must have access to an access easement which has been recorded in the office of the register of deeds. The easement must be a minimum of 15 feet in width and connect to a State-maintained road.
- (b) A legal lot created and recorded after March 18, 1996 must have a minimum 45-foot right-of-way connecting to a State-maintained road. A legal lot created and recorded after Effective Date of Amendment must have an NCDOT approved right-of-way connecting to a State-maintained road. In non-family subdivision situations, the road must be constructed to NCDOT standards. (Ord. No. 2017-05, 03/20/17)

An exception to this requirement is lots created for an estate settlement or lots exempt from subdivision regulations as defined in Sec. 44-341(a)(1), which must have a minimum 15-foot easement as required in Subsection (a) above. No construction standards are required.

- (c) In addition to minimum setback and building spacing requirements specified in this Chapter, all buildings and other structures, land preparation, and landscaping must be so located and arranged on lots as to provide safe and convenient access for emergency purposes, fire protection, servicing, and off-street parking and loading located on the premises.
- (d) No residentially zoned land may be used for vehicular or pedestrian access to land or structures in other zoning districts, except as provided in this Chapter or other lawful regulations.

Sec. 44-407. Visibility of intersections.

No structure or portion of any structure may be placed or erected; no motor vehicle, trailer or equipment may be allowed to park, stand, stop or be stored; and no vegetation may be maintained, planted or allowed to grow in a manner which impedes the visibility from a street, alley or driveway of oncoming traffic from any direction in the intersecting public street. The visibility shall be unobstructed between the heights of 2 ½ feet and 8 feet, as measured from the pavement edge of the adjacent roadway, across triangles described as follows:

- (a) Start at the intersection of the rights-of-way of the 2 intersecting roadways or at the intersection of the pavement edges, if no right-of-way exists;